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10/780,454	02/17/2004	Wayne M. Adams	ORACL-01432US1	1402

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EXAMINER	
ROSWELL, MICHAEL	
ART UNIT	**PAPER NUMBER**
2173	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/780,454	ADAMS ET AL.	
	Examiner	Art Unit	
	Michael Roswell	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 August 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11 and 13-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11 and 13-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

This Office action is in response to the Request for Continued Examination filed 13 August 2008.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-11 and 13-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Soares et al. (VersionWeb: A Tool for Helping Web page Version Control), Chaudri et al (US Patent 6,275,861), hereinafter Chaudri, and Cronin et al (US Patent 6,772,396), hereinafter Cronin.

As to independent claim 1, Soares et al. teach a method for propagating an application wherein the application includes a plurality of components (i.e. pages comprising a Web site, p. 1), said method comprising:

- selecting a destination environment (i.e. to a WWW server, see 1st paragraph, p. 3);
- propagating the components from a source environment to the destination environment according to a set of rules (i.e. VersionWeb offers options or rules for users access CVS operations to manipulate files, see p. 6 and 7); and
- wherein the propagation of at least two of the components from the source environment to the destination environment is performed in parallel (i.e. the downloading of multiple files simultaneously. See page 6 of Soares, specifically the “Local Checkout” and “Versions List” functions).

In addition, the examiner contends that servers such as those utilized by Soares allow a user to download (propagate) multiple files concurrently, and thus in parallel as claimed, and

that the "Local Checkout" and "Versions List" functions are analogous to the claimed "difference engine". As stated on page 3 of the specification:

> By way of a non-limiting example, rules can specify how to handle certain situations and/or be used to explicitly include or exclude components from propagation. A difference engine 112 can propagate an application component from a source environment to a destination environment based on one or more rules within the rule set.

As the stated functions of Soares serve to propagate application components in the manner disclosed on page 3 of the specification, the examiner deems such functions to be analogous to the claimed "difference engine".

However, Soares fails to explicitly teach the propagation of components being performed in parallel using multiple instances of the difference engine.

Chaudri teaches a system for handling packetized data over a network, similar to that of Soares. Furthermore, Chaudri teaches the use of multiple instances of an engine to perform parallel processing, at col. 7, lines 33-36.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Soares and Chaudri before him at the time the invention was made to modify the difference engine of Soares to include the multiple engine instances being used for parallel processing, as taught by Chaudri. One would have been motivated to make such a combination for the advantage of improved data handling performance. See Chaudri, col. 3, lines 36-42.

However, Soares and Chaudri fail to explicitly teach wherein the difference engine uses rules that are applied at different stages to determine the propagation of a component of the components, the stages include a first stage that applies a first rule if the component is detected in the source environment, a second stage that applies a second rule if the component is detected in the destination environment, a third stage that applies a third rule if the component is modified in the source environment, a fourth stage that applies a forth rule if the component is modified in the destination environment, a fifth stage that applies a fifth rule if the component is

new in the source environment, and a sixth stage that applies a sixth rule if the component is new in the destination environment.

Cronin teaches a system for the distribution of content over a network environment, similar to that of Soares and Chaudri. Furthermore, Cronin teaches a difference engine uses rules that are applied at different stages to determine the propagation of a component of the components (see col. 14, lines 1-5), the stages include a first stage that applies a first rule if the component is detected in the source environment, a second stage that applies a second rule if the component is detected in the destination environment (taught as the comparison of a master index file, i.e. destination, with a modified index file, i.e. source, which show the files in the destination and source locations, at col. 14, lines 8-14), a third stage that applies a third rule if the component is modified in the source environment, a fourth stage that applies a forth rule if the component is modified in the destination environment (taught as the comparison of story timestamps to check for modification, at col. 14, lines 16-19), a fifth stage that applies a fifth rule if the component is new in the source environment, and a sixth stage that applies a sixth rule if the component is new in the destination environment (taught as the comparison of index files for new stories, at col. 14, lines 32-37).

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Soares, Chaudri and Cronin before him at the time the invention was made to modify the propagation method of Soares and Chaudri to include the difference engine rules of Cronin. One would have been motivated to make such a combination for the advantage of updating content between a source and destination only when necessary. See Cronin, col. 2, lines 40-45.

As to claim 2, Soares et al. teach the method of claim 1 wherein: the application can be a web application (i.e. Web pages).

As to claim 3, Soares et al. teach the method of claim 1 wherein: the plurality of components can include at least one of: binary files, J2EE (Enterprise Java) applications, .Net applications, LDAP information, distributed objects, libraries, configuration files, information in databases including database records, Java Archives (JARs), XML (Extensible Markup Language) documents, and HTML (Hypertext Markup Language) documents {i.e. documents Web pages support, as one skilled in the art can appreciate to be XML, HTML, Java, etc.}.

As to claim 4, Soares et al. teach the method of claim 1 wherein: the plurality of components is distributed on a plurality of source operating environments (i.e. to multiple authors, see last paragraph, p. 1).

As to claim 5, Soares et al. teach the method of claim 1 wherein: a rule in the set of rules can determine whether the source environment or the destination environment take precedence (i.e. “commit of a local checkout” for uploading source environment updates to the destination or “local checkout” for getting destination environment updates to the source environment, see p. 6).

As to claim 6, Soares et al. teach the method of claim 1, further comprising: providing a user interface; and wherein the user interface initiates the propagation (i.e. see Figure 5).

As to claim 7, Soares et al. teach the method of claim 6 wherein: the user interface provides a first user interface to allow a user to create one or more rules in the set of rules (i.e. the management of users by an Administrator can limit or extend the rights of groups, see p. 7 and 8).

As to claim 8, Soares et al. teach the method of claim 6 wherein: the user interface provides a first user interface to allow a user to preview the changes that will take place in the

destination environment (i.e. to show visually the differences between two versions using "Diffs", see p. 7).

As to claim 9, Soares et al. teach the method of claim 1, further comprising: providing a process interface to allow a process to initiate the propagation (i.e. VersionWeb is installed on the server, in other words, a process that is running on the server that facilitates file updating and versioning, see 2nd paragraph, p. 2).

As to claim 10, Soares et al. teach the method of claim 1 wherein: the source and/or destination environment can include a plurality of computing devices (i.e. to/from multiple authors on different systems, see last paragraph, p. 1).

As to claim 11, Soares et al. teach system for propagating an application wherein the application includes a plurality of components (i.e. pages comprising a Web site, p. 1), said system comprising:

- a process interface operable to accept propagation requests (i.e. from a user, see Figure 5);
- a difference engine operable to propagate the components from a source environment to a destination environment according to a set of rules (VersionWeb offers options or rules for users access CVS operations to manipulate files, see p. 6 and 7);
- threading model operable to instantiate instances of the difference engine (i.e. VersionWeb uses CVS to allow simultaneous access to a file, see 2nd paragraph, p. 2); and
- wherein the propagation of at least two of the components from the source environment to the destination environment is performed in parallel (i.e. the downloading of multiple files simultaneously. See page 6 of Soares, specifically the "Local Checkout" and "Versions List" functions).

In addition, the examiner contends that servers such as those utilized by Soares are notoriously well known in the art to allow a user to download (propagate) multiple files concurrently, and thus in parallel as claimed, and that the "Local Checkout" and "Versions List" functions are analogous to the claimed "difference engine". As stated on page 3 of the specification:

> By way of a non-limiting example, rules can specify how to handle certain situations and/or be used to explicitly include or exclude components from propagation. A difference engine 112 can

> propagate an application component from a source environment to a destination environment based on one or more rules within the rule set.

As the stated functions of Soares serve to propagate application components in the manner disclosed on page 3 of the specification, the examiner deems such functions to be analogous to the claimed “difference engine”.

However, Soares fails to explicitly teach the propagation of components being performed in parallel using multiple instances of the difference engine.

Chaudri teaches a system for handling packetized data over a network, similar to that of Soares. Furthermore, Chaudri teaches the use of multiple instances of an engine to perform parallel processing, at col. 7, lines 33-36.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Soares and Chaudri before him at the time the invention was made to modify the difference engine of Soares to include the multiple engine instances being used for parallel processing, as taught by Chaudri. One would have been motivated to make such a combination for the advantage of improved data handling performance. See Chaudri, col. 3, lines 36-42.

However, Soares and Chaudri fail to explicitly teach wherein the difference engine uses rules that are applied at different stages to determine the propagation of a component of the components, the stages include a first stage that applies a first rule if the component is detected in the source environment, a second stage that applies a second rule if the component is detected in the destination environment, a third stage that applies a third rule if the component is modified in the source environment, a fourth stage that applies a forth rule if the component is modified

in the destination environment, a fifth stage that applies a fifth rule if the component is new in the source environment, and a sixth stage that applies a sixth rule if the component is new in the destination environment.

Cronin teaches a system for the distribution of content over a network environment, similar to that of Soares and Chaudri. Furthermore, Cronin teaches a difference engine uses rules that are applied at different stages to determine the propagation of a component of the components (see col. 14, lines 1-5), the stages include a first stage that applies a first rule if the component is detected in the source environment, a second stage that applies a second rule if the component is detected in the destination environment (taught as the comparison of a master index file, i.e. destination, with a modified index file, i.e. source, which show the files in the destination and source locations, at col. 14, lines 8-14), a third stage that applies a third rule if the component is modified in the source environment, a fourth stage that applies a forth rule if the component is modified in the destination environment (taught as the comparison of story timestamps to check for modification, at col. 14, lines 16-19), a fifth stage that applies a fifth rule if the component is new in the source environment, and a sixth stage that applies a sixth rule if the component is new in the destination environment (taught as the comparison of index files for new stories, at col. 14, lines 32-37).

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Soares, Chaudri and Cronin before him at the time the invention was made to modify the propagation method of Soares and Chaudri to include the difference engine rules of Cronin. One would have been motivated to make such a combination for the advantage of updating content between a source and destination only when necessary. See Cronin, col. 2, lines 40-45.

As to claim 13, Soares et al. teach the system of claim 11 wherein: the application can be a web application (i.e. Web pages).

As to claim 14, Soares et al. teach the system of claim 11 wherein: the plurality of components can include at least one of: binary files, J2EE (Enterprise Java) applications, .Net applications, LDAP information, distributed objects, libraries, configuration files, information in databases including database records, Java Archives (JARs), XML (Extensible Markup Language) documents, and HTML (Hypertext Markup Language) documents {i.e. documents Web pages support, as one skilled in the art can appreciate to be XML, HTML, Java, etc.}.

As to claim 15, Soares et al. teach the system of claim 11 wherein: the plurality of components can be distributed on a plurality of source operating environments (i.e. to multiple authors, see last paragraph, p. 1).

As to claim 16, Soares et al. teach the system of claim 11 wherein: a rule in the set of rules can determine whether the source environment or the destination environment take precedence (i.e. “commit of a local checkout” for uploading source environment updates to the destination or “local checkout” for getting destination environment updates to the source environment, see p. 6).

As to claim 17, Soares et al. teach the system of claim 11, further comprising: a user interface; and wherein the user interface initiates the propagation (i.e. see Figure 5).

As to claim 18, Soares et al. teach the system of claim 17 wherein: the user interface provides a first user interface to allow a user to create one or more rules in the set of rules (i.e. the management of users by an Administrator can limit or extend the rights of groups, see p. 7 and 8).

As to claim 19, Soares et al. teach the system of claim 17 wherein: the user interface provides a first user interface to allow a user to preview the changes that will take place in the destination environment (i.e. to show visually the differences between two versions using “Diffs”, see p. 7).

As to claim 20, Soares et al. teach the system of claim 17 wherein: the source and/or destination environment can include a plurality of computing devices (i.e. to/from multiple authors on different systems, see last paragraph, p. 1).

As to claims 21-30, claims 21-30 differ from claims 1-10 only in that claims 21-30 are machine readable medium (i.e. stored in server memory) type claims where as claims 1-10 are method claims. Thus, claims 21-30 are analyzed as previously discussed with respect to claims 1-10 above.

Response to Arguments

Applicant's arguments with respect to claims 1-11 and 13-30 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Roswell whose telephone number is (571)272-4055. The examiner can normally be reached on 8:30 - 6:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dennis Chow can be reached on (571) 272-7767. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Tadesse Hailu/
Primary Examiner, Art Unit 2173

Michael Roswell
11/6/2008